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PATENT

3742

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
STEPHEN MEMORY et al ) HEAT EXCHANGER  
Serial No. 09/778,310 ) Group Art Unit 3743  
Filed February 7, 2001 ) Examiner Nihir B. Patel

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TECHNOLOGY CENTER R3700

### RESPONSE

Commissioner for Patents  
Washington, D.C. 20231

Sir:

This is in response to the Office Action dated April 23, 2002 setting forth an extensive election requirement.

(1) With respect to the restriction requirement, Applicants elect the claims of Group II, namely, claims 13-30.

(2) With regard to the alleged two groups of claims, namely, Group A and B, under Group II, Applicants traverse the restriction requirement because the claims of Group B are not distinct from the claims of Group A.

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#### 37 CFR 1.8 CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231, on May 20, 2002.

Signature: Karen Sanderson

Name: Karen Sanderson